# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Spire Missouri, Inc.'s	)	File No. GR-2017-0215
Request to Increase Its Revenue for Gas Service	)	
	)	

# JOINT PROCEDURAL RECOMMENDATION

**COMES NOW** the Staff of the Missouri Public Service Commission ("Staff") and Spire Missouri Inc. ("Spire"), by and through counsel, and for this *Procedural Recommendation* state:

- 1. Laclede Gas Company ("LAC") and Laclede Gas Company d/b/a Missouri Gas Energy ("MGE") filed revised tariffs indicating requests for a rate increase on April 11, 2017, causing the Commission to open Case Nos. GR-2017-0215 and GR-2017-0216, respectively. The Commission issued its *Amended Report and Order* in the matter on March 7, 2018. The Supreme Court of Missouri overturned the Commission's determination solely as regards Spire's pension asset and ordered the Commission to hold further proceedings consistent with the Court's opinion.<sup>1</sup>
- 2. Pursuant to Section 386.520, RSMo, the Commission has a maximum of 120 days from the date of remand to issue an order on remand.
- 3. On December 11, 2020, Spire filed a general rate case, which the Commission designated as GR-2021-0108 and which is still pending before the Commission.
- 4. Staff in conjunction with Spire states that the Staff Direct Reports and Rebuttal testimony filed in Spire's current rate case, Case No. GR-2021-0108, takes into

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<sup>&</sup>lt;sup>1</sup> In the Matter of Spire Missouri Inc., f/k/a Laclede Gas Company v. Missouri Public Service Commission, Case No. SC97834, Opinion (issued Feb. 9, 2021).

consideration the approximately \$9 Million<sup>2</sup> in pension assets accrued between 1994 and 1996, which the Supreme Court of Missouri ordered to be added to Spire East's \$131.4 Million prepaid pension asset. The effect of the Commission's Order in GR-2017-0215 and 0216 was that Spire was not collecting the approximately \$9 Million in its eight year pension asset amortization through rates.

5. Staff and Spire agree that the Commission may resolve the issue on remand by factoring the remanded amount into its final determination for the current pending general rate case. Proceeding in this way will prevent the need for an additional proceeding related to the past rate case and will ensure that Spire recovers the lost amount of the pension asset as was ordered on remand. Staff and Spire recommend that the Commission in its final consideration of Case No. GR-2021-0108, incorporate the approximately \$9 Million into Spire East's prepaid pension asset, in accordance with Staff's recommendations in that case. They also recommend that the Commission does not need to take any additional procedural actions to meet the Supreme Court of Missouri's order on remand.

WHEREFORE, Staff prays that the Commission will take notice of this *Procedural Recommendation;* will incorporate the additional \$9 Million into Spire East's prepaid pension asset in any final accounting related to Case No. GR-2021-0108; and grant such other and further relief as is just in the circumstances.

<sup>&</sup>lt;sup>2</sup> The exact amount to be added on remand is \$8,961,548.

Respectfully submitted,

## /s/ Whitney Payne

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## /s/ Rachel L. Niemeier

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#### ATTORNEY FOR SPIRE MISSOURI INC.

#### **CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was served electronically, or hand-delivered, or via First Class United States Mail, postage prepaid, on all parties of record herein on this 23rd day of June, 2021.

## /s/ Whitney Payne